

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

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Attorney for Plaintiffs

STEPHEN GREEN-CELESTINE and	:	Civil Action No.:
AARON GREEN, H/H,	:	
	:	
Plaintiffs,	:	
	:	
vs.	:	
	:	
MICHAEL MASUCCI, UNITED STATES	:	
OF AMERICA, UNITED STATES	:	COMPLAINT
POSTAL SERVICE, JOHN DOES 1-10	:	
(fictitious names), JANE ROES	:	
1-10 (fictitious names) and ABC	:	
COMPANIES 1-10 (fictitious	:	
names),	:	
	:	
Defendants.	:	
	X	

I. Parties

1. Plaintiff, Stephen Green-Celestine, residing at 9 Vanderpool Street, Apt. 1A, Newark, New Jersey 07114.

2. Plaintiff, Aaron Green, residing at 9 Vanderpool Street, Apt. 1A, Newark, New Jersey 07114.

3. Defendant, Michael Masucci, residing at 19 Omaha Avenue, Rockaway, New Jersey 07866.

4. United States Postal Service, is a government/agent/department of the United States of America, with a location of 436 Valley Brook Avenue, Lyndhurst, New Jersey 07071.

II. Jurisdiction

28 U.S.C. section 1346(b)

5. This case is brought under the Federal Tort Claims Act and

jurisdiction is predicated, pursuant to 28 U.S.C. section 1346 (b).

6. In accordance with 28 U.S.C. section 2401 (b) and 39 C.F.R. 912.9(a) an administrative claim was presented to the United States Postal Service.

III. Venue

28 U.S.C. section 1402(b)

7. Plaintiffs reside at 9 Vanderpool Street, Apt. 1A, Newark, New Jersey 07114.

8. Therefore, pursuant to 28 U.S.C. Section 1402(b) venue lies in the District of New Jersey.

FIRST COUNT

1. On or about December 27, 2019, the Plaintiff, Stephen C. Green-Celestine, was the operator of a motor vehicle which was proceeding in an easterly direction along Second Avenue at or near its intersection with Summit Avenue, in the Township of Lyndhurst, County of Bergen and State of New Jersey.

2. At the time and place aforesaid, the Defendant, United States Postal Service, a government entity/agent/department of the United States of America was the owner of a motor vehicle which was being operated by its agent, servant, and/or employee the Defendant, Michael Masucci, which was proceeding in an easterly direction along Second Avenue at or near its intersection with Summit Avenue, in the Township of Lyndhurst, County of Bergen and State of New Jersey.

3. At the time and place aforesaid, the Defendant(s) John Does 1-10 and/or ABC Companies, Inc. 1-10 (fictitious names) was/were the owner(s) of a certain motor vehicle(s) which was/were being operated by his/her/its agent(s), servant(s) and/or employee(s), the

Defendant(s), Jane Roes 1-10 (fictitious names), along the aforesaid roadway(s).

4. The aforesaid Defendant(s) John Does 1-10, Jane Roes 1-10 and/or ABC Companies, Inc. 1-10, are fictitious names intended to identify any and all parties including individuals, corporations and/or other entities whose identities are presently unknown to the Plaintiff who together with the named Defendants, were the owners and/or operators of vehicles upon the aforesaid roadways and whose negligence contributed to Plaintiff's injuries.


5. At the time and place aforesaid, the Defendants, or either of them, so negligently operated and/or maintained and/or controlled their motor vehicles as to cause same to strike and collide with the vehicle which the Plaintiff, Stephen C. Green-Celestine, was operating.

6. As the direct and proximate result of the aforesaid negligence of the Defendants, the Plaintiff, Stephen C. Green-Celestine, sustained serious and permanent physical injuries, suffered, still suffers and will continue to suffer from great physical pain and mental anguish, was confined, is and will continue to be so confined, was obliged, still is, and will in the future be obligated to expend large sums of money for medical and other needed care of the aforesaid injuries, was prevented, is, and will in the future be prevented from pursuing his usual course of conduct and employment and in the future will be caused great pain and suffering, to his great loss and damage.

WHEREFORE, the Plaintiff, Stephen C. Green-Celestine, demands judgment against the Defendants, United States Postal Service, a

government entity/agent/department of the United States Of America,
Michael Masucci, John Does 1-10 (fictitious names), Jane Roes 1-10
(fictitious names), and ABC Companies, Inc. 1-10 (fictitious names),
either individually, jointly and/or severally, for damages, together
with interest and costs of this suit.

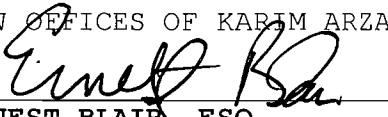
Dated: October 23, 2020

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ERNEST BLAIR, ESQ.
Attorney for Plaintiffs

DEMAND FOR TRIAL BY JURY

The Plaintiffs demand a trial by jury as to all issues herein.

Dated: October 23, 2020

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Attorney for Plaintiffs